

PAAUZYUW RUEHCIA0251 2331250-UUUU--RHMCSUU.
ZNR UUUUU ZZH
P R 211250Z AUG 07
FM AMCONSUL KOLKATA
TO RUEHC/SECSTATE WASHDC
INFO RUEHNE/AMEMBASSY NEW DELHI
RUEHCG/AMCONSUL CHENNAI
RUEHBI/AMCONSUL MUMBAI
RUEHKA/AMEMBASSY DHAKA
RUEHKT/AMEMBASSY KATHMANDU
RUEHGO/AMEMBASSY RANGOON
RUEHIL/AMEMBASSY ISLAMABAD
RUEHLH/AMCONSUL LAHORE
RHMFIUU/DEPT OF JUSTICE WASHINGTON DC
RUEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC
RUEHC/DEPT OF LABOR WASHINGTON DC
RHMFIUU/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC
RHMFIUU/CDR USPACOM HONOLULU HI
RUEHC/USAID WASHDC
GENEVA IO MISSIONS COLLECTIVE
RUCNDT/USMISSION USUN NEW YORK
RUEAIIA/CIA WASHINGTON DC
RUEHCI/AMCONSUL KOLKATA

UNCLAS SECTION 01 OF 03 KOLKATA 000251

SIPDIS

SENSITIVE
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DEPT FOR G/TIP - MLAGON, MTAYLOR, JSIGMON

E.O. 12958: N/A

TAGS: [KCRM](#) [KWMN](#) [PHUM](#) [ELAB](#) [SOCI](#) [IN](#) [NP](#) [BG](#)

SUBJECT: W. BENGAL'S NEW ANTI-TRAFFICKING HEAD OUTLINES PLANS FOR THE STATE

REF: KOLKATA 00195

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11. (U) SUMMARY: ON AUGUST 6 POLOFF SPOKE AT LENGTH WITH NEWLY-APPOINTED WEST BENGAL DEPUTY INSPECTOR GENERAL OF POLICE (SPECIAL CELL) SANJOY MUKHERJEE. MUKHERJEE WILL RUN THE RECENTLY-CREATED ANTI-HUMAN TRAFFICKING UNIT (AHTU) IN W. BENGAL. DURING THE MEETING, MUKHERJEE EXPLAINED IN DETAIL THE OPERATIONS OF THE AHTU, HIS APPROACH TO COMBAT TRAFFICKING IN THE STATE, AND THE CHALLENGES HE FORESEES FOR THE COMING YEAR. HOWEVER, LACK OF ADMINISTRATIVE AND JUDICIAL CAPACITY TO PROSECUTE CASES REMAINS A MAJOR HURDLE AND COULD UNDERMINE THE INCREASED POLICE EFFORTS. NGOS IN W. BENGAL CONCUR, BUT SO FAR APPRECIATE THE RENEWED COMMITMENT OF THE W. BENGAL POLICE TO FIGHT TRAFFICKING. END SUMMARY

12. (U) ON JUNE 28, THE CRIMINAL INVESTIGATION DEPARTMENT IN WEST BENGAL LAUNCHED THE STATE'S FIRST AHTU IN KOLKATA AND ASSIGNED DEPUTY INSPECTOR GENERAL OF POLICE (SPECIAL CELL) SANJOY MUKHERJEE TO MANAGE THE UNIT (REFTEL). AN IPS OFFICER WHO TAKES A METHODOICAL APPROACH TO POLICING, MUKHERJEE RECENTLY SPOKE TO POLOFF ABOUT THE POTENTIAL FOR SUCCESS OF THE W. BENGAL AHTU AS WELL AS THE OBSTACLES HE FACED IN COMBATING TRAFFICKING IN PERSONS.

13. (SBU) IN MUKHERJEE'S OPINION, AWARENESS AND ANTI-TIP RESPONSE WAS INCREASING. HE ATTRIBUTED THIS IN PART TO INCREASED MEDIA ATTENTION TO THE TIP PROBLEM. MUKHERJEE FURTHER FELT THAT AS FAR AS W. BENGAL WAS CONCERNED, ALTHOUGH TIP IS A STATEWIDE PROBLEM, THE AHTU'S EFFORTS SHOULD FOCUS ON CERTAIN KEY POCKETS IN THE STATE, INCLUDING BERHAMPORE/MURSHIDABAD (LOCATED 250 KM NORTH OF KOLKATA NEAR THE INDO-BANGLADESH BORDER), SILIGURI (THE MAJOR JUNCTION WHERE PEOPLE AND GOODS TRAVEL BETWEEN INDIA'S NORTHEAST STATES, "MAINLAND" INDIA, NEPAL, AND BANGLADESH), AND THE CITY OF KOLKATA ITSELF.

14. (SBU) IN THE EAST, SAID MUKHERJEE, TIP EXISTED FOR THE PURPOSES OF FACILITATING CHILD MARRIAGES/BRIDES, PROVIDING GIRLS

AND YOUNG BOYS FOR DANCE SHOWS IN BIHAR AND UTTAR PRADESH, A SMALLER NUMBER OF INDIVIDUAL WOMEN WHO ACTIVELY SOUGHT TO ENGAGE IN PROSTITUTION, WOMEN SEEKING OR PERSUADED TO LEAVE DYSFUNCTIONAL FAMILIES, AND WOMEN WHO ARE TOLD BY "TOUTS" POSING AS BOYFRIENDS THAT THEY SHOULD MOVE TO BE WITH THEIR BOYFRIEND "FOR LOVE." IN THE CASE OF BRIDES FROM W. BENGAL, MUKHERJEE NOTED THAT THERE WAS A TREND TO SEND GIRLS TO PUNJAB AND HARYANA, WHERE THERE IS A SUPPOSED GENDER IMBALANCE OF GIRLS TO BOYS OWING TO A HISTORICAL PATTERN OF FEMALE INFANTICIDE. MUSLIM GIRLS ARE FREQUENTLY SENT TO JAMMU AND KASHMIR, HE ADDED. (COMMENT: MUKHERJEE AVOIDED DISCUSSION OF SONAGAACHI, THE MAJOR RED-LIGHT DISTRICT IN KOLKATA, WHERE SEX SLAVERY AND FORCED PROSTITUTION IS THE NORM. THIS MAY BE DUE TO HIS AWARENESS OF POLITICAL SENSITIVITIES WITH THE LOCAL SEX WORKER'S UNION, OR BECAUSE THE RED-LIGHT DISTRICT IS WITHIN THE JURISDICTION OF THE KOLKATA POLICE. END COMMENT.)

AHTU'S APPROACH

15. (SBU) AT THE POLICE STATIONS, MUKHERJEE'S TEAM IS EMPHASIZING THAT MISSING PERSONS' REPORTS, WHICH ARE OFTEN THE FIRST REPORTS FILED BY CITIZENS REGARDING TRAFFICKED VICTIMS, MUST BE TAKEN AS A PRIORITY. THE AHTU HAS LAID OUT A 4-PRONGED STRATEGY FOR INCREASING POLICE CAPABILITY:

-- CONTINUING TO SENSITIZE POLICE OFFICERS TO THE MAGNITUDE AND GRAVITY OF THE TIP PROBLEM.

-- EMPOWERING THE POLICE, BY MEANS OF A MONTHLY 2-DAY COURSE, ON THE EXISTING LAWS. THIS INVOLVES EXPLANATION OF THE DIFFERENCES BETWEEN THE IMMORAL TRAFFICKING PREVENTION ACT (ITPA) AND THE INDIAN PENAL CODE (IPC).

-- BRINGING STAKEHOLDERS TOGETHER IN THE PROCESS, SUCH AS NGOS AND LOCAL COMMUNITY LEADERS, PARTICULARLY IN THE BORDER AREAS.

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MUKHERJEE EMPHASIZED THAT HE VIEWED THE AHTU AS A WAY OF TAKING ON DIFFICULT CASES TO ARREST "BIGGER" TRAFFICKERS. THIS INVOLVES FOCUSING ON OBTAINING GOOD, RELIABLE EVIDENCE AGAINST TRAFFICKERS AND RESCUING AS MANY CHILD VICTIMS AS POSSIBLE IN PARTICULAR.

CHALLENGES

16. (SBU) POLOFF ASKED MUKHERJEE TO OUTLINE WHAT HE FELT WERE THE BIGGEST OBSTACLES TO SUCCESS OF THE W. BENGAL AHTU. PRIMARILY, SAID MUKHERJEE, THE POLICE ARE SUFFERING FROM A SEVERE MANPOWER SHORTAGE, PARTICULARLY AT THE SUB-INSPECTOR LEVEL, AND THE AHTU LACKS A DEPUTY HEAD OF DEPARTMENT AT THE MOMENT. (NOTE: THIS POSITION IS EXPECTED TO BE FILLED IN 6-8 MONTHS. END NOTE.)

17. (SBU) SIGNIFICANTLY, IN MUKHERJEE'S VIEW THE REMAINING HURDLES ARE WITH THE COURT SYSTEM. DESCRIBING PROSECUTORS AS "TOTALLY UNDERPAID, UNSENSITIZED, AND OFTEN CORRUPT," MUKHERJEE COMPLAINED THAT HE SPENT MORE TIME ASSISTING IN THE PROSECUTION OF CASES THAN ON INVESTIGATING NEW ONES. OFTEN HE WOULD TRY TO FAST TRACK CASES BY CALLING IN PERSONAL FAVORS, OTHERWISE CASES WOULD NOT GO FORWARD. COMPOUNDING THE DIFFICULTY IS THE EQUALLY UNSCHOOLED JUDICIARY. MUKHERJEE FELT THAT MOST JUDGES REMAINED WOEFULLY IGNORANT OF THE LAWS AND THE CONCEPT OF VICTIM'S RIGHTS AND PROPER TREATMENT. (NOTE: IN A SEPARATE CONVERSATION WITH DIRECTOR OF NGO SANLAAP INDRANI SINHA, WHOSE NGO RESCUES AND REHABILITATES TRAFFICKED CHILDREN, SINHA ECHOED MUKHERJEE'S ASSESSMENT OF THE JUDICIARY. SHE WAS ABLE TO NAME ONLY SEVEN JUDGES IN THE ENTIRE STATE WHO IN HER OPINION UNDERSTOOD THE COMPLEXITY AND NATURE OF TIP CASES. END NOTE.)

18. (SBU) POLOFF SPOKE WITH REPRESENTATIVES OF VARIOUS NGOS OPERATING IN KOLKATA TO GET THEIR INITIAL VIEWS ON THE AHTU'S OPERATIONS SO FAR. ALL WERE EXTREMELY POSITIVE ABOUT MUKHERJEE AND THE AHTU, FINDING HIM RESPONSIVE AND INTERESTED IN SERIOUSLY COMBATING TIP. SANLAAP'S INDRANI SINHA CREDITED THE UNODC TRAINING AS WELL, SAYING THAT THE POLICE "NO LONGER NEED TO BE PUSHED," AND THAT THEY WERE RECEIVING GREATER COOPERATION FROM THE POLICE ON LOCATING AND IDENTIFYING TARGET AREAS FOR RESCUE OPERATIONS.

19. (SBU) INTERNATIONAL JUSTICE MISSION, APNE AAP, AND SANLAAP NGO LEADERS ALL AGREED, HOWEVER, THAT THE CREATION OF THE AHTU HAS PUT INTO STARK RELIEF THE HUGE DIFFERENCE BETWEEN THE W. BENGAL POLICE AND THE KOLKATA POLICE. THE W. BENGAL POLICE WERE MUCH MORE RECEPTIVE TO WORKING WITH THE NGOS, WHEREAS THE KOLKATA POLICE HAD MADE IT CLEAR THAT FIGHTING TIP WAS NOT ON THE TOP OF THEIR AGENDA (NOTE: POLOFF WAS TOLD TWICE FROM OTHER SOURCES THAT KOLKATAS POLICE COMMISSIONER HAS STATED ON RECORD THAT OTHER CRIMES SUCH AS MURDER, RAPE, AND KIDNAPPING WERE HIGHER PRIORITIES THAN TIP, GIVEN EXISTING RESOURCES. END NOTE.) THE NGOS ALSO IDENTIFIED POTENTIAL BOTTLENECKS TO SUCCESSFUL PROSECUTION OF TIP CASES BEING CAUSED BY THE DEARTH OF ADEQUATELY TRAINED PUBLIC PROSECUTORS AND AN UNSENSITIZED JUDICIARY.

10. (SBU) COMMENT: A GREATER COMMITMENT AMONG NGOS AND THE LEADERSHIP OF THE W. BENGAL AHTU TO COMBAT TRAFFICKING IS A POSITIVE DEVELOPMENT. AS EVIDENCED BY OUR INTERACTION, AHTU LEADERSHIP APPEARS TO BE WELL-ORGANIZED AND NOT LACKING FOR IDEAS (PERHAPS MUKHERJEE'S BACKGROUND AS AN MBA GRADUATE FROM IIM CALCUTTA PLAYS A ROLE IN THIS REGARD). THE ONLY DISCORDANT NOTE FROM OUR MEETINGS WAS THE WORRY OVER PROSECUTORIAL AND JUDICIAL CAPABILITIES TO SECURE CONVICTIONS IN A TIMELY FASHION.

IF CASES DO GET BACKLOGGED AND THE POLICE DO NOT SEE DEMONSTRABLE RESULTS FROM THEIR EFFORTS, EVEN MUKHERJEE ADMITS

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THAT MORALE WILL BE DAMAGED AND THE INCENTIVE TO INVESTIGATE CASES WILL BE UNDERMINED. IN ADDITION TO IMPROVING THE CAPACITY OF PROSECUTORS AND JUDGES SOME CONVICTIONS, PREFERABLY IN HIGH-PROFILE CASES, WILL BE NECESSARY OVER THE NEXT YEAR TO KEEP THE GAINS FROM BEING LOST.

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